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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,531	12/14/2001	Kazunori Horikiri	111420	3245

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EXAMINER

LEMMA, SAMSON B

ART UNIT PAPER NUMBER

2132

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/014,531

Applicant(s)

HORI KIRI ET AL.

Examiner

Samson B. Lemma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13, 16-18, 21-33, 36-38, 41 and 42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 16-18, 21-33, 36-38, 41-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## ***DETAILED ACTION***

1. This office action is in reply to an amendment filed on August 08, 2005.  
**Claims 1-9, 11-13,16,18,21-29,31-33,36 and 38** have been amended, **claims 14-15,19-20,34-35 and 39-40** have been canceled. New claims 41-42 are added and **claims 1-13, 16-18,21-33,36-38 and 41-42** are pending.

## ***Response to Arguments***

2. Applicant's argument filed on August 08, 2005 have been fully considered but they are not persuasive.

### **The argument by the applicant is with regard to the independent claims**

Applicant argued that independent claims which are now amended includes limitations that are not shown or suggested by the references on the record, namely **Layton**.

Applicant argued that the following limitation which is added to the independent claims was not disclosed by Layton, "when it is determined that at least one of the users of the plurality of first external apparatuses have accessed the detection information, notifying to the first external apparatuses, which the others of the users use, a fact that the detection information has already been accessed."

**Examiner disagrees with this argument.**

**Examiner disagrees with this argument.** The examiner point out that **Layton discloses** the following on column 4, lines 32-41; column 3, lines 42-49; column 3, lines 53-66 (The "IMN" or the Information Management Network, having automatically received an **alert or physical phenomenon**

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notification from the premises where the monitoring devices are located, automatically accesses a data base, finds the particular owner's profile, and then also automatically sends/ notifies the interactive alert messages/detection information to **phones, faxes, email devices, pagers, hand-held computers and/or a manned monitoring center as previously specified by the owner**. All or one of these devices/apparatus which are previously specified by the owner are interpreted by office as **the external apparatus meets the recitations of each of the plurality of the first external apparatus**).

**Furthermore Layton discloses the following on Column 5, lines 52-56;column 5, lines 7-9, "customer can select to have a central station monitoring facility as the part of the call flow as explained on column 5, lines 7-9; Customers can elect to have central station monitoring facility having it's own apparatus which is interpreted as the a second external apparatus as the back-up capability to be employed/notified after one or more contacts listed in the Customer's Profile have been contacted and queried, and have failed to receive or respond correctly to the interrogation from the IMN". This means that system has a capability of determining that at least one of the contacts/external apparatus has accessed the detection information and as it is disclosed on column 5, lines 63-column 6, lines 3, the first external apparatus has a capability of canceling the event notification and also proactively instructed the IMN to contact the central monitoring facility. Therefore this means all the first external apparatus/one or more contacts listed in the customer profile will be contacted and their respond is waited. This means that whoever have accessed the detection information will respond back and will not fail to properly cancel the event notification and the system has to**

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inherently notify other first external apparatuses/contacts who have already been contacted but has not yet responded, a fact that the detection information has already been accessed.”

Therefore all the elements of the limitations is explicitly or implicitly suggested and disclosed by the combinations of the references on the records and the rejection remains valid.

### ***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119 (a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-8 : 10-13,16-18,21-23,30-33,36-38 and 41-42** are rejected under 35 U.S.C. 102(e) as being anticipated by **Layton et al** (hereinafter referred as **Layton**) (U.S. Patent No 6,829,478)

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6. **As per claims 1,21, 41-42, Layton discloses an information notifying method** [column 5, line 4-5; column 4, lines 24-32; column 1, lines 14-21] **comprising the steps of:**
- **Supervising physical phenomenon of a predetermined supervision area**[Column 1, lines 14-16];
  - **When the physical phenomenon is detected by supervising, notifying detection information indicating that the physical phenomenon is detected to a each of a plurality of first external apparatuses;** [column 4, lines 32-41; column 3, lines 42-49; column 3, lines 53-66] (The "IMN" or the Information Management Network, having automatically received an **alert or physical phenomenon** notification from the premises where the monitoring devices are located, automatically accesses a data base, finds the particular owner's profile, and then also automatically sends/ notifies the interactive alert messages/ detection information to **phones, faxes, email devices, pagers, hand-held computers and/or a manned monitoring center as previously specified by the owner**. All or one of these devices/apparatus which are previously specified by the owner are interpreted by office as **the external apparatus meets the each of a plurality of external apparatus)**
- Determining as to whether or not users of the first external apparatus have accessed the notified detection information; and when it is determined that all of the users of the plurality of first external apparatus have not accessed the detection information, notifying the detection information to a second external apparatus.** [Column 5, lines 52-56;column 5, lines 7-9] (Customer can select to have a **central station monitoring facility** as the part of the call flow as explained on column 5, lines 7-9; Customers can elect to **have central station monitoring facility** having it's own apparatus which is

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interpreted as the **a second external apparatus as the back-up capability** to be employed/notified after one **or more contacts listed in the Customer's Profile** have been contacted and queried, and **have failed to receive or respond correctly to the interrogation from the IMN meets the recitation of all of users of the plurality of first external apparatuses**. Interpretation by the Examiner is given in the light of the specification)

**When it is determined that at least one of the users of the plurality of first external apparatuses have accessed the detection information, notifying to the first external apparatuses, which the others of the users use, a fact that the detection information has already been accessed.**[column 5, lines 63-column 6, line 3 and column 5, column 5, lines 52-56;column 5, lines 7-9] (As it is disclosed, system has a capability of determining that at least one of the contacts/external apparatus has accessed the detection information and as it is disclosed on column 5, lines 63-column 6, lines 3, the first external apparatus has a capability of canceling the event notification and also proactively instructed the IMN to contact the central monitoring facility. Therefore this means all the first external apparatus/one or more contacts listed in the customer profile will be contacted and their respond is waited. This means that whoever have accessed the detection information will respond back and will not fail to properly cancel the event notification and the system has to inherently notify other first external apparatuses/contacts who have already been contacted but has not yet responded, a fact that the detection information has already been accessed.”)

7. **As per claim 2-3, and 22-23,** Layton discloses the information notifying method as applied to claims 1 and 21 above. **Furthermore Layton discloses** the method wherein when it is determined at a time when a predetermined period has been elapsed from notifying the detection information to the first external apparatus that the user has not accessed the detection information, the detection information is notified to the second external apparatus.[Column 5, lines 52-56] (As explained on column 5, lines 52-

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56; having failed to receive or respond correctly to the notification provided to the customer devices or the first external apparatus the central station monitoring facility with its own apparatus will be notified. This inherently includes that a predetermined time has elapsed before the central station monitoring facility is notified.)

8. **As per claim 4 and 24, Layton discloses** the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** the method wherein when the detected physical phenomenon has a particular content, the detection information is notified to the second external apparatus without waiting for the determination that whether the user of the first external apparatus has accessed the notified detection information or not.[column 9, lines 28-31]
9. **As per claim 5 and 25, Layton discloses** the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** the method wherein the detection information notified to the first external apparatus is different from the detection information notified to the second external apparatus in content.[Column 9, lines 13-26] (The detection information to the second external apparatus which is interpreted by the office as the apparatus used by the central station monitoring facility inherently contains that the customer or the first device designated by the customer is not answering or the correct alarm notification cancel code is not entered and therefore the content of this information received by the second external apparatus is different from the detection information notified to the first external apparatus.)
10. **As per claim 6 and 26, Layton discloses** the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** the method wherein the detection information notified to the first external apparatus is different from the detection information notified to the second external



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apparatus in content.[Column 9, lines 13-26] (The detection information to the second external apparatus which is interpreted by the office as the apparatus used by the central station monitoring facility inherently contains that the customer or the first device designated by the customer is not answering or the correct alarm notification cancel code is not entered and therefore the content of this information received by the second external apparatus is different from the detection information notified to the first external apparatus.)

11. **As per claim 7 and 27, Layton discloses** the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** method further comprising the steps of: receiving access completion information indicating that the user has accessed the detection information notified to the first external apparatus from the first external apparatus; and when the access completion information is received, determining that the user has accessed the detection information notified to the first external apparatus. [Column 10, lines 38-41]
12. **As per claim 8 and 28, Layton discloses** the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** method wherein, the access completion information in an e-mail. [Column 4, lines 6-10]
13. **As per claim 10,17,30 and 37, Layton discloses** the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** method wherein, the information notified to the second external apparatus is a non-image. [Column 4, lines 6-10] (For instance, Text image and other notification information mentioned on column 4, lines 6-10 meet the recitation of the claim.)

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14. **As per claim 11 and 31, Layton discloses** the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** the method wherein the step of notifying the detection information to the first external apparatus is preformed by using an e-mail. [Column 4, lines 6-10]
15. **As per claim 12 and 32, Layton discloses** the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** the method wherein the step of notifying the detection information to the first external apparatus is performed by using voice utilizing telephone lines. [Column 4, lines 6-10;column 4, lines 24-30;column 9, lines 13-27]
16. **As per claim 13 and 33, Layton discloses** the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** the method wherein the step of notifying the detection information to the first external apparatus is preformed by using an e-mail; and when it is determined that the user has not accessed the detection information notified by using the e-mail, the step of notifying the detection information to the first external apparatus is performed by using voice utilizing telephone lines. [Column 4, lines 6-10; column 4, lines 24-30;column 9, lines 13-27] (As explained on column 3, lines 66- column 4, line 11, the IMN routing system is domiciled at a secure independent hosting facility or at a secure central station monitoring facility. The system is able to receive event and alert information from any security or premises monitoring devices and sequentially transmit interactive notifications about the event and alert to wired and wireless communications devices specified in the Customer's Profile within the IMN. Transmissions can be made in voice, text, **DTMF**, digital, text messaging or other formats to such devices as **cell phone**, pager, **email**, fax, text message device and SMS, as well as in Contact ID, SIA, or other security industry formats to an independent central

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station monitoring facility for them in turn to dispatch the authorities meets the recitation of the claim)

17. **As per claim 16 and 36** Layton discloses the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** the method further comprising the steps of notifying to the first external apparatus that the detection information has been notified to the second external apparatus. [Column 9, lines 20-26]

18. **As per claim 18 and 38** Layton discloses the information notifying method as applied to claims 1 and 21 above. Furthermore **Layton discloses** the method wherein the step of determining whether the user of the first external apparatus has accessed the notified detection information or not is performed on a basis of information indication that whether the first external apparatus is in a state where the first external apparatus can receive the detection information or not. [Column 5, lines 52-56 and column 9, lines 13-26]

### ***Claim Rejections - 35 USC § 103***

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. **Claims 9 and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Layton et al** (hereinafter referred as **Layton**) (U.S. Patent No 6,829,478) in view of **Vaios** (hereinafter referred as **Vaios**) (U. S. Patent No. 6,271,752)

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21. **As per claims 9 and 29 Layton discloses** the information notifying method **Layton discloses** the information notifying method wherein, the information notified to the second external apparatus is a non-image. [Column 4, lines 6-10] (For instance, Text image and other notification information mentioned on column 4, lines 6-10 meet the recitation of the claim.)

- Layton does not disclose expressly wherein the detection information notified to the first external apparatus includes **moving image** of the detected physical phenomenon.

However, in the field of endeavor **Vaios** discloses

The security surveillance area is comprised of a local computer system, a camera with motion sensor, and a network interface. When the motion sensor detects an obstruction the camera starts recording and the local computer system notifies a remote individual of the alarm via a communications device, such as a beeper, telephone, or e-mail. Using an end user location, having a remote computer system, a network interface, and one or more communications devices, the remote individual can logon to the local computer system via the communications network and obtain additional information, control the video camera remotely, or view video images. Access to the security surveillance area, control of the video camera, and viewing of the video data is accomplished advantageously over the Internet with application specific browser software, plugins, APIs, and other protocols.[Abstract]

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to add the features having detection information notification **including moving image** of the detected physical phenomenon as per teachings of **Vaios** in to the method as taught by **Layton**, in order to provide

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accessible and affordable video surveillance system.[See Vaio column 1, lines 60-63]

### ***Conclusion***

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

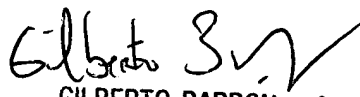
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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**SAMSON LEMMA**

SIL.  
10/25/2005

  
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